

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh  
v. : Crim. No. 08-728 (DMC)  
GERALDINE MANUEL : CONTINUANCE, COMPLEX CASE  
 : AND SCHEDULING ORDER

This matter having been opened to the Court on the joint motion by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Lorraine S. Gerson, Assistant U.S. Attorney, appearing), and defendant Geraldine Manuel, by her attorney, William D. Ware, for an order declaring this matter to be a complex case pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(ii); and the Court having considered the arguments of counsel; and the defendant being aware that absent such a finding she would have the right to be tried within seventy days of her first appearance in this district in connection with this matter, pursuant to 18 U.S.C. § 3161(c)(1); and the charges being the result of a lengthy investigation and the defendant and her counsel needing sufficient time to review discovery, and to investigate the charges and file motions in this case; and the parties needing sufficient time to review voluminous documents; Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Lorraine S. Gerson, Assistant U.S. Attorney, appearing), having concurred in the assertion that this matter is complex as defined

in the statue; and the Court having found that an order granting a continuance of the proceedings in the above-captioned matter should be entered, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for following reasons:

1. The Indictment in this case involves allegations of complex financial transactions.

2. The documents in this case are voluminous; numerous documents were obtained during the course of the investigation. The discovery in this case has expanded to include documents that were either maintained on, or converted to, electronic media and were provided to the government by the victim of the alleged fraud only after return of the Indictment. Information that the Government could access was turned over to the defendant. However, there remains a significant amount of electronic data that the Government, despite consultations with IT experts, has still not been able to access.

3. The parties need time to review an analyze these materials before the filing of pretrial motions.

4. In light of these findings and given the nature of the case and its complexity, it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established under the Speedy Trial Act.

5. The grant of a continuance will enable the parties to adequately access and review the discovery, prepare motions, and proceed with trial.

6. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 22<sup>nd</sup> day of May 2009

ORDERED that this matter is hereby designated a complex case;

IT IS FURTHER ORDERED that the proceedings in the above-captioned matter are continued from and including May 11, 2009 to and including September 2<sup>8</sup>, 2009;

IT IS FURTHER ORDERED that the period from and including May 11, 2009, to and including September 2<sup>8</sup>, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974;

IT IS FURTHER ORDERED that the government shall provide discovery no later than JUNE 12, 2009, and on a continuing basis thereafter as required;

IT IS FURTHER ORDERED that the Court shall hold a scheduling conference in this matter on JUNE 22, 2009 @ 11 am

IT IS FURTHER ORDERED that defendants shall file motions no later than July 27, 2009;


IT IS FURTHER ORDERED that the United States shall file motions and its opposition to defendants' motions no later than

Aug. 24, 2009;


~~IT IS FURTHER ORDERED that defendants shall file any reply no later than \_\_\_\_\_,~~


IT IS FURTHER ORDERED that the motions are returnable and a hearing will be held on or about Sept. 14, 2009; and

IT IS FURTHER ORDERED that jury selection and trial will commence on September <sup>28</sup>21, 2009, or on a date thereafter WW determined by the Court.

  
HON. DENNIS M. CAVANAUGH  
United States District Judge

Consent as to form and entry

  
Lorraine S. Gerson  
Assistant U.S. Attorney

  
William D. Ware, Esq.  
Attorney for Geraldine Manuel